

Laboratories at San Francisco, Calif., alleging shipment on or about January 29, 1940, from the State of California into the State of Ohio of a quantity of Elga Bust Developer that was misbranded.

Analysis showed that the article consisted essentially of invert sugar, small proportions of calcium phosphate, and extracts of plant drugs, and water, colored with a red dye.

It was alleged to be misbranded in that the statements, "Elga Bust Developer. A Specialized normalizing Food designed to supplement nature, feeding systemically the sensitive, delicate, starved cells of immature, sagging or depleted breasts," borne on the bottle label, were false and misleading since they represented that it would develop the bust, that it was a specialized normalizing food designed to supplement nature, that it would feed systemically the sensitive, delicate, starved cells of immature, sagging, or depleted breasts, and that it was strictly a food; whereas it would not be efficacious for such purposes and it was not strictly a food, but was a drug. The article was also alleged to be misbranded under the provisions of the law applicable to food, as reported in F. N. J. No. 2096.

On February 4, 1941, a plea of guilty having been entered, the court placed the defendant on probation for a period of 4 years.

371. Misbranding of Hannon's Rub External Treatment. U. S. v. Hannon Medicines, Inc., and Louis A. Hannon. Pleas of guilty. Fines, \$100. (F. D. C. No. 2846. Sample No. 9563-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. The cartons for both sizes were unnecessarily large. The 1-ounce bottle occupied approximately 32 percent and the 2-ounce bottle approximately 38 percent of the space in the carton.

On April 19, 1941, the United States attorney for the Southern District of Mississippi filed an information against Hannon Medicines, Inc., Brookhaven, Miss., and Louis A. Hannon, alleging shipment on or about April 29, 1940, from the State of Mississippi into the State of Louisiana of a quantity of Hannon's Rub External Treatment which was misbranded.

Analysis showed that the article consisted essentially of camphor, soap, chloroform, water, and alcohol.

The article was alleged to be misbranded in that certain statements in the labeling were false and misleading in that they represented that it was efficacious in the treatment of rheumatism, arthritis, neuritis, croup, coughs, laryngitis, chest colds, paroxysms due to asthma, menstrual colic, sciatica, bursitis, lumbago and backache; that it would relieve severe sprains, headache, neuralgia, or rheumatism; that it was efficacious in the treatment of stiff muscles and joints which accompany rheumatism, lumbago, and neuralgia; whereas it would not be efficacious for such purposes. It was alleged to be misbranded further in that its container, i. e., carton, was so made, formed, or filled as to be misleading.

On May 5, 1941, pleas of guilty having been entered, the court sentenced the corporation and the individual each to pay a fine of \$50.

372. Misbranding of Dr. Hunt's Cervical Spine Relaxer. U. S. v. Dr. Albert Thurlow Hunt. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 2110. Sample No. 11019-E.)

The labeling of this device bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On October 14, 1940, the United States attorney for the Southern District of California filed an information against Dr. Albert Thurlow Hunt, Los Angeles, Calif., alleging shipment on or about January 3, 1940, from the State of California into the State of Texas of a device known as Dr. Hunt's Cervical Spine Relaxer which was misbranded.

Examination showed that the device consisted of a sling fitting under the chin and around the back of the neck and riveted to a horizontal bar. A block and tackle were used to operate the device. One end of this block and tackle was inserted in the horizontal bar and the bar was to be fastened to a hook over a door or to some overhead point. The block and tackle were manipulated to cause a stretching of the operator's neck.

The device was alleged to be misbranded in that certain statements and designs appearing in the circular were false and misleading in that they represented that it was an effective and competent treatment to prevent the following disorders, or to overcome them if they already existed: Functional disorders of the head, throat and neck, headaches, insomnia, hay fever, nasal

catarrh, catarrhal deafness, enlarged tonsils, sinus troubles, pyorrhea, eye troubles, goiter, apoplexy, neck, shoulder and arm neuralgia, brachial neuralgia, draining sinuses, head noises, dizziness, tonsillitis, sinus congestion, bronchitis, bronchial asthma, eyestrain and crossed eyes, mastoid abscess, angina pectoris, mental aberration, curvature of the spine, exophthalmic goiter, laryngitis, various heart troubles, and many other distressing conditions which are benefited by improved circulation; that it constituted an effective and competent self-administered home treatment of many serious and painful disorders; that it would bring about the restoration of normal circulation; that it would give complete relief with no other treatment; that it was the best possible self-administered treatment for the relief of that great intractable group of head and throat disorders so disappointingly treated by other measures, that is, that it was an effective and competent treatment for said disorders; and that it would relax the cervical spine; whereas it was not an effective or competent treatment for such purposes.

On October 14, 1940, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$50.

373. Misbranding of Rogers' Mineral Extract. U. S. v. Lafayette Rogers (The Rogers Mineral Co.) Plea of nolo contendere. Fine, \$25. (F. D. C. No. 2111. Sample No. 61879-D.)

The label of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On September 25, 1940, the United States attorney for the Southern District of Alabama filed an information against Lafayette Rogers, trading as the Rogers Mineral Co., Cullomburg, Ala., alleging shipment on or about January 25, 1940, from the State of Alabama into the State of Mississippi of a quantity of Rogers' Mineral Extract which was misbranded. The article was labeled in part: "Rogers' Mineral Extract Formerly Known as Acid Iron Earth."

Analysis showed that the article was a water solution containing approximately 6 percent of mineral matter, mainly, iron, aluminum, and sodium sulfates.

The article was alleged to be misbranded in that certain statements in the labeling were false and misleading in that they represented that it was efficacious in the internal and external treatment of indigestion, liver, kidneys and blood, hemorrhage of lungs, early stages of consumption, lung trouble, diarrhea or any bowel trouble, pellagra, rheumatism, cuts, burns, sores of all kinds, bruises, scalds, inactive liver, ulcerated stomach, liver and kidney trouble, flux and dysentery and other spring and summer diseases, run-down condition, ulcers, early stages of eczema, backache and general weakness, "T. B. of the bone," and skin diseases; that it was efficacious to prevent malaria, to regulate the appetite and to "cause the food to assimilate, which means strength, health and happiness"; that it was efficacious as a blood purifier; would remove pimples from the face; that it was a natural remedy and purifier which would cooperate with the blood system and action of the body, and thus give nature an opportunity to restore to the body that which it had lost; that it would cause the body to regain strength and its proper functioning power; that it possessed healing power; that it would insure health; that it was efficacious as a system builder; that it was efficacious to prevent cholera in hogs and chickens, and that it was efficacious in the treatment of sorehead in chickens; whereas it was not efficacious for such purposes.

On November 8, 1940, the defendant entered a plea of nolo contendere and the court imposed a fine of \$25.

374. Misbranding of Sun Dried Nova Scotia Dulse. U. S. v. Gus E. Sjoberg (Coffin Fish Co.). Plea of nolo contendere. Fine of \$150 on count 1. Imposition of sentence suspended on count 2 and defendant placed on probation for 9 months. (F. D. C. No. 2094. Sample Nos. 73116-D, 83523-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On August 22, 1940, the United States attorney for the Western District of Washington filed an information against Gus E. Sjoberg, trading as the Coffin Fish Co. at Seattle, Wash., alleging shipment on or about August 23 and December 27, 1939, from the State of Washington into the States of California and Oregon of quantities of dulse that was misbranded. It was labeled in part: "Sun Dried Nova Scotia Dulse * * * Imported and Packed by Coffin Fish Co. Seattle, U. S. A."

Examination showed that the article was a dark brown vegetable material, apparently dried seaweed.